

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADAPTIX, INC.	§	
v.	§	No. 6:12cv22
ALCATEL-LUCENT USA, INC. , AND	§	
AT&T MOBILITY LLC		

ADAPTIX, INC.	§	
v.	§	No. 6:12cv122
ALCATEL-LUCENT USA, INC. AND	§	
CELLCO PARTERSHIP d/b/a		
VERIZON WIRELESS	§	

ADAPTIX, INC.	§	
v.	§	No. 6:12cv123
ALCATEL-LUCENT USA, INC. AND	§	
SPRINT SPECTRUM L.P.		

REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before the Court is the following pending motion:¹

Defendants' Motion for Partial Summary Judgment of Invalidity of Claim 13 of the '808 Patent (Docket Entry #s 271, 267 & 245).

¹ The above-referenced cases were referred to the undersigned United States Magistrate Judge for pre-trial purposes in accordance with 28 U.S.C. § 636.

The Court, having reviewed the relevant briefing and noting Plaintiff does not oppose the motion in view of the Court's construction of the claim term "broadband spatial signature vectors" as "2-D spatial signature vectors," recommends Defendants' motion be **GRANTED**. Accordingly, it is

RECOMMENDED that the Court hold that Claim 13 of U.S. Patent No. 6,870,808 is invalid under 35 U.S.C. § 112 ¶ 4.

SIGNED this 16th day of December, 2014.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE